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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
DUONG, FRANK

ART UNIT	PAPER NUMBER
2666	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/131,141	KALKUNTE ET AL.	
	Examiner	Art Unit	
	Frank Duong	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 November 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This Office Action is a response to the response dated 11/27/2002. Claims 1-22 are pending in the application.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of copending Application No. 09/271,011. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claimed invention of claims 1-22 of the instant application encompasses the claimed invention of claims 1-18 of the above copending patent application for the same rationales stated in the Office Action dated 07/30/2002.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

3. Claims 1-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 09/271,008. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claimed subject matters of claims 1-22 of the instant application encompasses the claimed invention of claims 1-20 of the above copending patent application for the same rationales stated in the Office Action dated 07/30/2002.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bellenger (USP 5,802,054).

Regarding **claim 1**, in accordance with Bellenger reference entirety, Bellenger discloses a method for preserving frame order of a plurality of frames transmitted over a plurality of communication links (*see Fig. 3 and the abstract*), the method comprising:

receiving the plurality of frames transmitted over the plurality of communication links (*see Fig. 3; blocks 201-1 to 201-X*);

asserting a plurality of indications each denoting the start of frame transmission on a corresponding communication links (see col. 9, Bellenger discloses the flow detect logic 215 is coupled to the bus 210 (of Fig. 3) for the purpose of monitoring the frame received in the node to detect flows (corresponding to "*asserting a plurality of indications denoting the start of frame transmission*"));

for each indication being received, generating a corresponding pointer value (*tag or hash value*) associated with the respective frame being transmitted over the corresponding communication link based, at least in part, on a relative order in which the respective indication is asserted, the corresponding pointer value associated with each respective frame being used to determine an order in which the respective frame is promoted from a receive buffer (*221*) to a system state (*ports 201-1 to 201-N*) (*see col. 9, line 6 to col. 10, line 25 and col. 15, lines 11-26, Bellenger discloses flow detect logic 215 generates identifying tags for the purpose of accessing the switch route table in the RDRAM 207. The arbiter 211 provides for arbitration amongst ports, the flow detect logic, the memory and the CPU for access to the bus, and other management necessary to accomplish the high speed transfer data from the ports to the frame*

buffers and back out to the port. The location 250 includes, among other fields, tag field 251 associated with a location by one or more of using the tag or a portion of the tag in the address, by storing all or part of the actual tag data in the addressed location, or by using other memory tag techniques such as hashing. Bellenger also discloses the block-unblock field 253 is used to block routing of frames corresponding to new entries, until it is assured that the first frame in the flow to which the entry corresponds, arrives at its destination before the node begins forwarding following frames in the flow to the destination using the route header, in order to preserve the order of the transmission of the frames. In doing, Bellenger shows the corresponding pointer value associated with each respective frame being used to determine an order in which the respective frame is promoted from a receiver buffer to a system state).

Regarding **claim 2**, in addition to features recited in base claim 1 (*see rationales pertaining the rejection of base claim 1 discussed above*), the claim further calls for reading the receiving frames out of the buffer based, at least in part, on the pointer value (*see col. 10, lines 47-52*).

Regarding **claim 3**, in addition to features recited in base claim 2 (*see rationales pertaining the rejection of base claim 2 discussed above*), the claim further calls for wherein frames are read out of the buffer in an increasing pointer value order (*see col. 9, line 57 to col. 10, line 8, Bellenger discloses block-unblock field 253 is used to block routing of frames corresponding to new entries, until it is assured that the first frame in the flow to which the entry corresponds, arrives at its destination before the node begins forwarding following frames in the flow to the destination using the route header, in*

order to preserve the order of the transmission of the frames. In doing, Bellenger shows the frames are read out of the buffer in an increasing pointer value order).

Regarding **claim 6**, in addition to features recited in base claim 1 (*see rationales pertaining the rejection of base claim 1 discussed above*), the claim further calls for wherein the plurality of frames are a plurality of frame sizes (*see col. 11, lines 25-26*).

5. Claims 9,11, 14, 19, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Simmons.

Regarding **claim 9**, in according to Figure 1-3, 9, col. 6, line 5 to col. 10, line 12, Simmons discloses an apparatus (**Figures 2A-2B**) comprising:

A buffer having a plurality of records (32);

A network interface (28, 42, 66 and 70), coupled to the buffer (32), to receive a plurality of frames from the plurality of communication links (*col. 6, lines 5-20, elements 60, 62 and 36*), to store the frames in a corresponding plurality of records within the buffer in order of receipt (col. 7, lines 47-56), and to assign a pointer value to each of the plurality of records denoting a relative order of frame transmission of each of the plurality of frames (*col. 8, lines 21-43*), the pointer value associated with each record in the buffer being used to determine an order in which the corresponding frame is promoted from the buffer to a system state (*col. 8, lines 21-43*).

Regarding **claim 11**, the claim depends from base claim 9 (*see rationales discussed above pertaining the rejection of base claim 9*). At col. 6, lines 5-21,

Simmons discloses that MAC 60, 62 and 36 (corresponding to "communication links") are part of multiport switch 12 (corresponding to "Ethernet network").

Regarding **claim 14**, the claim depends from base claim 9 (*see rationales discussed above pertaining the rejection of base claim 9*). In according to col. 8, lines 34-43, Simmons discloses buffer manager 65 takes the assigned frame pointer from the bottom of the output queue 67 using a frame pointer read bus 86, fetches the corresponding data frame in a DMA transaction from the location in an external memory 36 pointed to by the assigned frame pointer, and places the fetched data frame into the appropriate transmit FIFO 66 via a data bus 82 for transmission. Thus, the recitation thereat reads on the claimed limitations set forth as claimed.

Regarding **claim 19**, in according to Figure 1-3, 9, col. 6, line 5 to col. 10, line 12, Simmons discloses a network device (**Figures 1, 2A-2B**) to communicate with other network device (*not shown; inherent*) through a multi-link trunk (16), the network device comprising:

a buffer having a plurality of records (32);

a network interface (28, 42, 66 and 70), coupled to the buffer (32) and the multi-link trunk (16), to receive a plurality of frames from the multi-link trunk (*col. 6, lines 5-20, elements 60, 62 and 36*), to store the frames in the corresponding plurality of records in the buffer in order of receipt (col. 7, lines 47-56), and to assign a pointer value to each of the plurality of records denoting a relative order of frame transmission of each of the plurality of frames (*col. 8, lines 21-43*), the pointer value associated with each record in

the buffer being used to determine an order in which the corresponding frame is promoted from the buffer to a system state (*col. 8, lines 21-43*).

Regarding **claim 20**, in addition to features recited in base claim 19 (*see rationales pertaining the rejection of base claim 19 discussed above*), Simmons further discloses wherein the multi-link trunk (16) is comprised of a plurality of physical links (16).

Regarding **claim 22**, in addition to features recited in base claim 19 (*see rationales pertaining the rejection of base claim 19 discussed above*), Simmons further discloses wherein the network interface promotes each of the plurality of frames stored in the buffer to a system state in order of pointer value, irrespective of an order in which they are stored in the buffer (*see col. 8, lines 1-43*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellenger in view of Frazier.

Regarding **claims 4-5**, in addition to features recited in base claim 1 (*see rationales pertaining the rejection of base claim 1 discussed above*), the claims further call for wherein the data network is an Ethernet network and the indication is an analog

indication/RX_DV signal. At col. 4, lines 4-15, Bellenger discloses all ports on the switch node [figure 3] execute a single local area network protocol. Preferably this protocol is an Ethernet protocol operated at 100 megabits per second or gigabit per second. Thus, Bellenger data network is an Ethernet network. Bellenger fails to explicitly disclose the indication is an analog indication/RX_DV signal. However, such limitation is well-known in the gigabit Ethernet community and disclosed by Frazier. In the gigabit Ethernet MII, it is defined that RX_DV signal is an analog signal the PHY asserted to the MAC when there is valid data on the RXD path. In according to Figures 1, 3C-3D and 6, the abstract and col. 6, lines 6-9, col. 9, line 31 to col. 10, line 24, and col. 13, lines 39-42, Frazier discloses flow control method in a full duplex Ethernet network comprising, among other steps, the step of asserting a plurality of RX_DV signals denoting the start of frame transmission on a corresponding plurality of communication link (*note: col. 6, lines 6-9, Frazier discloses when RX_DV is asserted on the MII, MAC receive processing logic accepts and process data from the physical layer, and then passes the processed data to the logical link control layer and col. 13, lines 39-42, Frazier discloses the receive carrier sense variable may be derived directly form the MII signal RX_DV, and is used to indicate incoming bits*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Frazier's teaching into Bellenger' method to arrive the claimed invention to provide a method for preserving frame order having a flow control mechanism with a motivation to increase the network capacity.

7. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bellenger.

Regarding **claim 7**, in addition to features recited in base claim 1 (*see rationales pertaining the rejection of base claim 1 discussed above*), the claims further call for storing records in the buffer in an order which does not correspond to the order of frame transmission of the records. At col. 9, lines 18-22, Bellenger discloses the tag field 251 may be associated with a location by one or more of using tag or a portion of the tag in the address, by storing all or part of the actual tag data in the addressed location, or by using other memory tag techniques. Bellenger fails to explicitly disclose storing records in the buffer in an order which does not correspond to the order of frame transmission of the records. However, the limitation lacks thereof from Bellenger reference is deemed to be an obvious variation of Bellenger "*other memory tag techniques*" discussed above.

It would have been obvious to those skilled in the art to recognize the limitation lacks thereof from Bellenger reference is an obvious variation of Bellenger "*other memory tag techniques*" or to modify Bellenger's memory tag techniques to arrive the claimed invention with a motivation to provide a dynamic memory tag technique.

Regarding **claim 8**, in addition to features recited in base claim 1 (*see rationales pertaining the rejection of base claim 1 discussed above*), the claim further calls for reading the plurality of frames out of the buffer in accordance with their the pointer value (*see col. 10, lines 47-52*). Bellenger fails to further disclose "*in an order different from an order in which the frames are stored in the buffer*". However, at col. 9, lines 18-22, Bellenger discloses the tag field 251 may be associated with a location by one or more of using tag or a portion of the tag in the address, by storing all or part of the actual tag

data in the addressed location, or by using other memory tag techniques. Therefore, the limitation lacks thereof from Bellenger reference is deemed to be an obvious variation of Bellenger "*other memory tag techniques*" discussed above.

It would have been obvious to those skilled in the art to recognize the limitation lacks thereof from Bellenger reference is an obvious variation of Bellenger "*other memory tag techniques*" or to modify Bellenger's memory tag techniques to arrive the claimed invention with a motivation to provide a dynamic memory tag technique.

8. Claims 10, 12-13, 15-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons in view of Frazier.

Regarding **claims 10, 12 and 13**, the claim depends from base claim 9 (*see rationales discussed above pertaining the rejection of base claim 9*). In according Figs. 2A-2B, Simmons shows RX_DVA, RX_DVB and RX_DVC signals corresponding to receive data valid signals A, B and C. Moreover, at col. 8, lines 28-33, Simmons further discloses the port vector FIFO 63 assigns the frame pointer to the appropriate destination port(s) by placing frame pointer into the top of the appropriate output queue 67. Simmons fails to explicitly disclose the received data valid signals are an analog receive data valid signal denoting the commencement of frame transmission. However, the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links is well known and discloses by Frazier.

In according to Figures 1, 3C-3D and 6, the abstract and col. 6, lines 6-9, col. 9, line 31 to col. 10, line 24, and col. 13, lines 39-42, Frazier discloses flow control method in a full duplex Ethernet network comprising, among other steps, the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links (*note: col. 6, lines 6-9, Frazier discloses when RX_DV is asserted on the MII, MAC receive processing logic accepts and process data from the physical layer, and then passes the processed data to the logical link control layer and col. 13, lines 39-42, Frazier discloses the receive carrier sense variable may be derived directly form the MII signal RX_DV, and is used to indicate incoming bits. It is also well-known that RX_DV is an analog signal. Thus, the recitation thereat is corresponding to the step of receiving*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Frazier's teaching into Simmons' system to arrive the claimed invention with a motivation to provide a flow control mechanism for a full-duplex Ethernet network as well as increasing the network capacity.

Regarding **claim 15**, in according to Figures 2-4, col. 6, line 5 to col. 10, line 12, Simmons discloses a flow control method (corresponding to "method for preserving frame order of a plurality of frames" in a half duplex Ethernet network (Figure 2) (corresponding to "plurality of communication links"), the method comprising, among other things, assigning a pointer value to each of a plurality of records in a buffer receiving a corresponding plurality of frames based, at least in part, on a destination port (*note: col. 8, lines 21-43, Simmons discloses rules checker 42 or 68 places the*

port vector and the corresponding frame pointer into the port vector FIFO 63. Then, the port vector FIFO 63 assigns the frame pointer to the appropriate destination port(s) by placing the frame pointer into the top of the appropriate output queue 67 (corresponding to claimed "based on a relative order in which the indications are received" because the frame pointer is placed into the top of the output queue 67), the pointer value associated with each record in the buffer being used to determine an order in which the corresponding frame is promoted from the buffer to a system state (*col. 8, lines 21-43*). Thus, the recitation thereat reads on the claimed limitation set forth.

Note that Simmons, in according to col. 6, lines 50-56, also discloses one of the advantages of using external rule checker 44 is increasing the capacity of the network. Moreover, Simmons, in according to Figure 2A, also shows signal RX_DVB, as known in the Gigabit Ethernet world is Received Data Valid signal, when enable causes MII 28 in the interface 12 to receive data on RXDB.

Simmons fails to explicitly disclose the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links (multi-link trunk). However, the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links is well known and discloses by Frazier.

In according to Figures 1, 3C-3D and 6, the abstract and col. 6, lines 6-9, col. 9, line 31 to col. 10, line 24, and col. 13, lines 39-42, Frazier discloses flow control method in a full duplex Ethernet network comprising, among other steps, the step of receiving up to a plurality of indications denoting the start of frame transmission on a

corresponding plurality of communication links (*note: Fig. 4; physical link 20 is a multi-link trunk and col. 6, lines 6-9, Frazier discloses when RX_DV is asserted on the MII, MAC receive processing logic accepts and process data from the physical layer, and then passes the processed data to the logical link control layer and col. 13, lines 39-42, Frazier discloses the receive carrier sense variable may be derived directly form the MII signal RX_DV, and is used to indicate incoming bits. Thus, the recitation thereat is corresponding to the step of receiving*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Frazier's teaching into Simmons' method to arrive the claimed invention with a motivation to provide a flow control mechanism for a full-duplex Ethernet network as well as increasing the network capacity.

Regarding **claim 16**, in addition to features recited in base claim 15 (see rationales pertaining the rejection of base claim 15 discussed above), Simmons in view of Frazier also teaches wherein the multi-link trunk is comprised of a plurality of physical links aggregated as a single logical link (*see '559, Fig. 4, link 20 and col. 12, lines 16-61*).

Regarding **claim 17**, in addition to features recited in base claim 15 (see rationales pertaining the rejection of base claim 15 discussed above), Simmons in view of Frazier also teaches wherein the indications are an analog signal denoting receive data valid (*see '028, Figs. 2A-2B; RX_DVA, RX_DVB and RX_DVC and '559, Fig. 5, RX_DV*).

Regarding **claim 18**, in addition to features recited in base claim 15 (see rationales pertaining the rejection of base claim 15 discussed above), Simmons in view of Frazier also teaches promoting the received frames from the buffer based on pointer value order (*see '028, col. 8, lines 28-33*).

Regarding **claim 21**, the claim depends from base claim 19 (*see rationales discussed above pertaining the rejection of base claim 19*). In according Figs. 2A-2B, Simmons shows RX_DVA, RX_DVB and RX_DVC signals corresponding to receive data valid signals A, B and C. Moreover, at col. 8, lines 28-33, Simmons further discloses the port vector FIFO 63 assigns the frame pointer to the appropriate destination port(s) by placing frame pointer into the top of the appropriate output queue 67. Simmons fails to explicitly disclose the received data valid signals are an analog receive data valid signal denoting the commencement of frame transmission. However, the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links is well known and discloses by Frazier.

In according to Figures 1, 3C-3D and 6, the abstract and col. 6, lines 6-9, col. 9, line 31 to col. 10, line 24, and col. 13, lines 39-42, Frazier discloses flow control method in a full duplex Ethernet network comprising, among other steps, the step of receiving up to a plurality of indications denoting the start of frame transmission on a corresponding plurality of communication links (*note: col. 6, lines 6-9, Frazier discloses when RX_DV is asserted on the MII, MAC receive processing logic accepts and process data from the physical layer, and then passes the processed data to the logical*

link control layer and col. 13, lines 39-42, Frazier discloses the receive carrier sense variable may be derived directly form the MII signal RX_DV, and is used to indicate incoming bits. Thus, the recitation thereat is corresponding to the step of receiving).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Frazier's teaching into Simmons' system to arrive the claimed invention with a motivation to provide a flow control mechanism for a full-duplex Ethernet network as well as increasing the network capacity.

Response to Arguments

9. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is (703) 308-5428. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Frank Duong
January 27, 2003